

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC, 20554

In the Matter of)
Creation of a Low)
Power Radio)
Service)

MB Docket No. 99-25

My name is Richard Whitmore and I am the President of Hobby Radio, Inc. which is licensed as WEAK LP-FM.

I have read the FCC form 05-75 entitled "SECOND ORDER ON RECONSIDERATION AND FURTHER NOTICE OF PROPOSED RULEMAKING" which was released on March 17, 2005.

After digesting the information within this document, I would like the proposals adopted. However, there are a few items to which I would like to offer my opinion.

It has been shown that the third adjacent interference that NAB said would be a problem has actually been found to be unfounded. Please have Congress repeal this rule so that there are more frequencies available for localism through low power radio.

Transferability of Construction Permits and Licenses of Low Power Radio should be allowed as long as it meets all other Federal Communications Rules concerning Low Power Radio and not be "sold" to any commercial radio station or network. Converting the class of license to a 'translator' should not be allowed.

It appears that many church ministries have applied for and received Construction Permits throughout the United States. Here in Athens, Ohio, and several cities here in the area, The 7th Day Adventist applied for licenses and have received Construction Permits and Licenses for their stations. The name they used on their application was Hope Radio. Since they did apply for so many stations, isn't this considered multiple ownership. Since they have already been granted these Permits and Licenses, I would say that this "multiple ownership" rule should not be further restricted.

It would seem that in the "Mutually Exclusive" applications that have been granted time sharing licenses, these licenses should be renewable as though they were a full time station - not just short termed and not "guaranteed" renewal.

Extending the Construction Permits from 18 months to 36 months would be a much better option - especially for those groups that have had fund raising problem and are now able to begin to build their station. If a full service station is granted 36 months, I believe that low power radio should also have the same amount of time to build their station. Expired Construction Permits should be re-instated for the 18 month period for those who wish to build their stations.

Here is where I believe we NEED the most change. We need "primary" protection against any new station or any station moving that would cause us to either have to move or go off the air. We are in this situation now. There are a couple of station in our state that applied for moving a little closer to our station (and a lot closer to another LPFM station in Logan, Ohio). Unless the reduction of the "third adjacent channel" requirement is changed, they will not be able to continue on the air or there is no room to move to another frequency. Our location is just outside the minimum distances, so we should not be affected, but WWTL-LP will most likely be driven off

the air because of "encroachment". Please protect Low Power Radio stations by giving us "primary status" protection and relax the "third adjacent channel" requirements. In any event, an LPFM station should be able to continue to operate with minimal interference in case of a full power station's encroachment (grand fathering) if no other resolution can be found.

It is evident that with the onslaught of so many translator applications by full power station, their mindset was to remove available frequencies from the LP-FM applications. Also, many of these applications were just to acquire a Construction Permit so that it could be sold. I think that translators should have essentially the same licensing requirements (technically and legally) as does the Low Power Radio applicants. Mainly - they should not be able to sell their Construction Permits for profit.

Please consider my views when drafting the final "SECOND ORDER ON RECONSIDERATION AND FURTHER NOTICE OF PROPOSED RULEMAKING" regarding Low Power Radio.

Thank you,

Richard Whitmore